

**From:** Caroline Tinsley  
**Sent:** Thursday, February 15, 2018 6:18 PM  
**To:** danna.george@cna.com  
**Cc:** Marsalli, Daniel <Daniel.Marsalli@cna.com>; Kriegstein, Megan <Megan.Kriegstein@cna.com>  
**Subject:** Pharma Tech Litigation

Danna,

I wanted to provide you with an update on the PTI cases. [REDACTED]  
[REDACTED] These include the subpoenas in the *Swann* and *Ingham* matters. Kroll had not sent anything to us, so none of those invoices have been paid. [REDACTED]  
[REDACTED] We are going through those to parse out the expenses.

**1. Ingham and Swann Subpoenas:**

Scanning of documents is still ongoing at Union. Identification and scanning of documents at Royston has not begun as we have forced Plaintiffs to go to Georgia and issue the subpoena there. Additionally, the Judge wanted us to focus on Union first. By forcing Plaintiffs to go to Georgia, the hope is that the Judge there will be more receptive the narrowing the subpoena or ordering the Plaintiffs to cost share.

To date, the documents produced are in regard to *Ingham* as *Swann* was stayed pending a Writ. We are in current negotiations with Plaintiff's counsel in *Swann* regarding the possibility of withdrawing that subpoena and taking the *Ingham* production in its place. We are still considering that option, as counsel in *Swann* is the counsel suing PTI. Nonetheless, J&J has now produced additional documents related to PTI so it likely will not have a strategic impact.

**2. Hannah and Johnson:**

Numerous Motions to Dismiss both Union and Royston have been filed. There is a Motion to Remand to Missouri State Court Pending. These cases were transferred to NJ MDL on January 31, 2018. The MDL is overseen by Judge Freda L. Wolfson. The next Status Conference will be held on March 6, 2018.

**3. Cartwright:**

Numerous Motions to Dismiss both Union and Royston have been filed. There is a hearing regarding Opposition to Transfer the matter to the MDL on March 29, 2018. The hearing on the Transfer Order, Conditional Transfer Order (CTO-68), will be without oral argument.

Currently, the case is pending in EDMO before Judge Ronnie L. White. The pending Motions which have been fully briefed are:

- J&J's Motion to Stay
- Plaintiffs' Motion to Remand
- Plaintiffs' Motion to Expedite Ruling on Motion to Remand
- Union's Motion to Dismiss for Failure to State A Claim
- Union's Motion to Sever Claims and Transfer for Improper Venue
- Royston's Motion to Dismiss for Lack of Personal Jurisdiction
- Plaintiffs' Motion for Extension of Time to Respond to Royston and Union's Motions to Dismiss, Sever and Transfer Venue Pending Ruling on Motion to Remand
- Plaintiffs' Motion for Telephonic Hearing re Motion to Remand
- Imerys Talc's Motion to Dismiss for Lack of Personal Jurisdiction
- Plaintiffs' Motion for Extension of Time to File Response/Reply as to Imerys Talc's Motion to Dismiss

**4. Kassimali:**

Numerous Motions to Dismiss both Union and Royston have been filed. There is a hearing regarding Opposition to Transfer the matter to the MDL on March 29, 2018. The hearing on the Transfer Order, Conditional Transfer Order (CTO-68), will be without oral argument. Plaintiffs' filed a Motion to Vacate on February 1, 2018. Responses/Oppositions are due on February 22, 2018.

Currently, the case is pending in EDMO before Judge Audrey Fleissig. The pending Motions which have been fully briefed are:

- J&J's Motion to Stay
- J&J's Motion to Dismiss for Lack of Personal Jurisdiction and Improper Venue
- Plaintiffs' Motion to Remand
- Plaintiffs' Motion to Expedite Ruling on Motion to Remand
- Union's Motion to Dismiss for Failure to State A Claim
- Union's Motion to Sever Claims and Transfer for Improper Venue
- Royston's Motion to Dismiss for Lack of Personal Jurisdiction
- Plaintiffs' Motion for Extension of Time to Respond to Royston and Union's Motions to Dismiss, Sever and Transfer Venue Pending Ruling on Motion to Remand
- Plaintiffs' Motion for Telephonic Hearing re Motion to Remand
- Imerys Talc's Motion to Dismiss for Lack of Personal Jurisdiction
- Plaintiffs' Motion for Extension of Time to File Response/Reply as to Imerys Talc's Motion to Dismiss

**5. Gavin:**

Numerous Motions to Dismiss both Union and Royston have been filed.

Currently, the cases are pending in EDMO before Judge Ronnie L. White. The pending Motions are:

- J&J's Motion to Stay; Imerys, Royston and Union joined J&J's Opposition. Plaintiffs filed a response on February 14, 2018. Reply is due on February 21, 2018
- J&J's Motion to Dismiss for Lack of Personal Jurisdiction and Improper Venue
- Plaintiffs' Motion to Remand. Defendants' Oppositions/Joinders are due on February 21, 2018
- Plaintiffs' Motion to Expedite Ruling on Motion to Remand
- Union's Motion to Dismiss for Failure to State A Claim. Plaintiffs Oppositions are due on February 21, 2018
- Union's Motion to Sever Claims and Transfer for Improper Venue. . Plaintiffs Oppositions are due on February 21, 2018
- Royston's Motion to Dismiss for Lack of Personal Jurisdiction. . Plaintiffs Oppositions are due on February 21, 2018

- Plaintiffs' Motion for Extension of Time to Respond to Royston and Union's Motions to Dismiss, Sever and Transfer Venue Pending Ruling on Motion to Remand
- Plaintiffs' Motion for Telephonic Hearing re Motion to Remand
- Imerys Talc's Motion to Dismiss for Lack of Personal Jurisdiction. Plaintiffs Opposition is due on February 21, 2018
- Plaintiffs' Motion for Extension of Time to File Response/Reply as to Imerys Talc's Motion to Dismiss

**6. Reising:**

Filed in the City of St. Louis on February 1, 2018. PTI was served on February 5, 2018. PTI's Answers and Responsive pleadings are due on March 7, 2018.

J&J has not removed case as of February 15, 2018.

**7. Schackne:**

Served via courier on February 15, 2018, on PTI Royston, LLC in Athens. It does correctly name PTI Union (and not PTI Royston); however, appears to be improperly served, so service will need to be challenged. This suit is in relation to Caldesene. We will be following up to determine if there is an indemnification agreement regarding this with Prestige and issuing a demand for indemnification.

Do not hesitate to let me know if you have questions or concerns.

Best,

Caroline

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